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C O N F I D E N T I A L SECTION 01 OF 03 ABUJA 001465

SIPDIS

STATE FOR AF/W, INR/AA
DOE FOR GEORGE PERSON

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TAGS: PGOV PREL EFIN KCOR NI
SUBJECT: NIGERIA: WAZIRI REQUESTS ASSISTANCE, CHANCE TO
PROVE HERSELF

REF: ABUJA 1331

Classified By: Political Counselor Walter Pflaumer for reasons 1.4. (b & d).

¶11. (C) SUMMARY. Ambassador met with EFCC Chairwoman Farida Waziri on July 21, noting USG concerns about Waziri personally, her ability to strengthen the EFCC, and recent personnel redeployments. The Ambassador stressed Waziri's need to prove her bona fides to the U.S. through concrete results. Waziri said redeployments of long-time seconded police (as opposed to permanent EFCC staff) were necessary to close leaks to the press and to weed out those not loyal to the EFCC or to her. She confided to the Ambassador that she was shocked by the poor capacity and lack of seriousness within the EFCC and the NFIU, despite considerable international support. Waziri asked for U.S. assistance to bring a U.S. prosecutor to Nigeria soonest to help build capacity of EFCC staff, particularly to build case files and train prosecutors. The Ambassador informed Waziri of existing plans to bring a U.S. attorney to Nigeria for capacity building to the ICPC and indicated she would ask to expedite the timeline for this visit and ask about other opportunities. Waziri indicated she would like to travel to the U.S., potentially in October, to demonstrate in person her commitment to fighting corruption. The Ambassador noted her disappointment with the EFCC press coverage of her earlier meeting with Waziri, noting that our bilateral discussions are meant to be private and not open to the press. Waziri took note of the Ambassador's request and voiced her own displeasure with press coverage of the meetings. The Ambassador has laid down a marker on press coverage at bilateral meetings, that Waziri needed to prove herself sooner rather than later, and that we will be watching what she does closely. Ultimately, the proof will have to be concrete action -- continued investigations, arrests and prosecutions. END SUMMARY.

¶12. (C) Economic and Financial Crimes Commission (EFCC) Chairwoman Farida Waziri requested a meeting with the Ambassador and Legatt on July 21 to discuss USG programs in country and how best she could take advantage of them as an opportunity to strengthen the EFCC. The Ambassador noted strong USG concern about Waziri personally, her ability to strengthen the EFCC, and the numerous recent redeployments (NOTE: of seconded police and not EFCC permanent staff), stressing Waziri's need to prove her bona fides. The Ambassador indicated that ongoing Legatt and INL

capacity-building programs with the EFCC will continue because we see a strong EFCC as a key element of the fight against corruption and graft in Nigeria.

WAZIRI'S SURPRISE: DISLOYALTY, LEAKS, WEAK CASES

¶3. (C) Waziri explained that the redeployments were meant to remove those she felt leaked information to the press, were disloyal to the EFCC as an institution, or were disloyal to her personally. She added that she arrived at the EFCC willing to work with those who were there, but had come to realize that some of them wanted to undermine her -- as well as the EFCC. As an example, she noted that information was recently leaked to the press regarding two ex-governors whom the EFCC was about to arrest, allowing the ex-governors to escape to London. Waziri admitted that some of the redeployments included investigators of high profile cases such as former Delta Governor James Ibori. She confided to the Ambassador, however, that when she inquired into the Ibori case, she found the case file weak and that even the Nigerian Financial Intelligence Unit (NFIU) did not have strong documentation on Ibori. The EFCC was trying to convince the judge in Kaduna to continue to hold Ibori's diplomatic passport, and had succeeded so far, but the weak case file made this more difficult. (Note: Press reports July 29 claimed that a former EFCC employee was arrested at his Lagos home with EFCC case files and computers. Post is seeking more information to clarify this report. End Note.)

¶4. (C) Waziri said she was alarmed to find that the EFCC and units like the NFIU, in which the U.S. and UK had invested

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considerable money and training, did not seem to have the capacity or seriousness to help build strong case files. The Ambassador noted that a DOJ mentor, scheduled to assist the NFIU over a 4 month period, left early when he was not given appropriate access; the mentor had told us that members of the NFIU were not as serious as they should have been about moving forward. Despite this disappointment, we had brought another U.S. Attorney to Abuja for two weeks last Spring, and the U.S. Mission is already planning for another INL-funded TDY intermittent legal advisor to come to Abuja who normally works with the ICPC.

WAZIRI SOUNDS ALARM - REQUESTS USG ASSISTANCE

¶5. (C) Waziri said her alarm and resulting concern regarding the management of other cases prompted her call to the Ambassador for USG assistance. Waziri asked to get a U.S. prosecutor to help her staff with their capacity to manage case files and to provide capacity building for EFCC prosecutors. (Comment. The timeline for the current efforts to get a TDY attorney may be longer than what Waziri needs. After the meeting, the Ambassador and Legatt discussed the possibility of getting a U.S. Attorney to respond to this request and have since then provided the background and request to Washington offices. End Comment.)

¶6. (C) Waziri told the Ambassador that big cases such as that against Ibori must be prosecuted. She wants her prosecutors to be better prepared, particularly because she believes the information in many of the case files may not be enough to really bring these "theives" (her words) to justice. Waziri contended that if the EFCC under her chairmanship could successfully prosecute high profile cases -- like some of these ex-governors -- then the international community will see that she is serious about fighting corruption, and serious about making the EFCC a strong institution.

¶7. (C) Waziri told the Ambassador she wants to travel to the U.S., as she did to the UK, so people can hear directly of her commitment to the anti-graft war. She asked that the international community, including the U.S., give her a chance to do her job and let her prove herself. She noted that she met with the Metropolitan police and other UK

officials when they came to Abuja and had made the same points she expressed to the Ambassador. The Ambassador said we were willing to allow Waziri to prove herself, but noted that we would be watching to see if her deeds matched her words. The Ambassador promised to inform the Department of Waziri's desire to travel to the U.S. to make her points directly. Waziri said she wanted to travel in October.

NO PRESS IN MISSION/EFCC MEETINGS

18. (C) The Ambassador expressed her displeasure at EFCC press coverage of her earlier meeting with Waziri, noting that USG and Embassy meetings with Waziri and her staff are not a platform for the press. She told Waziri press coverage should be limited to programs such as the Legatt and INL/Treasury-led anti-corruption training programs, which highlight anti-corruption efforts. The Ambassador mentioned the visit of U/S Jeffery, reiterating that this would be a private discussion and not a matter for the press. (NOTE: The conversation was prior to a decision from U/S Jeffery's staff that he not see Waziri.) Waziri took note of the Ambassador's concerns regarding press coverage, indicating she had been following the recommendations of some of her staff, but later realized that not everyone was working in either her or the EFCC's overall best interest. She agreed to private meetings in the future, and said she was also dismayed by the press coverage of the earlier meeting. She added that, given her experiences with the press leading up to her own confirmation, she was not surprised by the misrepresentations.

ULTIMATELY, THE PROOF IS IN ARRESTS, PROSECUTIONS

19. (C) Comment. The Ambassador laid down a marker that we expect results. Some of Waziri's comments about the EFCC we have heard before, such as the institution did leak

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information, and a lack of capacity has hindered some of its efforts toward effective prosecution and bringing cases to court. Nonetheless, we have made clear to Waziri that, while we are willing to give her the chance to prove herself, we will be assessing her every move and performance not by rhetoric or promises, but by results. The next six months will be critical. Only the continued pursuit of cases, arrests and prosecutions, can ultimately demonstrate whether the EFCC under Waziri's leadership (including Waziri personally) will be committed to fighting corruption. However, more importantly, we need to determine what tools the EFCC really does have to effectively move forward on these issues. It is unclear now whether all the assumptions we made in the past about the internal capacity of the EFCC are valid. Post recommends we consider having the upcomign TDY U.S. prosecutor spend some time at EFCC so we can have better intelligence on the capacity or lack thereof of some of its senior leadership, prosecutors and directors. End Comment.

SANDERS